

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Joshua Jamal Smith**

**Docket No. 5:12-CR-11-1FL**

**Petition for Action on Supervised Release**

COMES NOW Taron N. Seburn, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Joshua Jamal Smith, who, upon an earlier plea of guilty to Possession of an Unregistered Firearm, 26 U.S.C. §§ 5841, 5845, 5861(d), and 5871, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on September 5, 2012, to the custody of the Bureau of Prisons for a term of 63 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Joshua Jamal Smith was released from custody on September 16, 2016, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On August 29, 2017, the defendant tested positive for marijuana, and the results were confirmed by Alere Laboratory on September 4, 2017. When confronted with the results of the test, the defendant verbally admitted to using marijuana on or about August 1, 2017. He received a verbal reprimand for his drug use and was counseled about his actions. The defendant was given instructions to enroll in substance abuse treatment at Second Chance Recovery of Rocky Mount, North Carolina, and will participate in the Surprise Urinalysis Program. As a sanction for this drug use, the defendant will also comply with the requirements of the DROPS Program, beginning at the second use level. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.


/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Taron N. Seburn  
Taron N. Seburn  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2335  
Executed On: September 25, 2017

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**ORDER OF THE COURT**

Considered and ordered this 27th day of September, 2017, and ordered filed and made a part of the records in the above case.

A handwritten signature in black ink, appearing to read "Louise W. Flanagan", is written over a horizontal line.

Louise W. Flanagan  
U.S. District Judge